

Planning and Zoning Commission

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STAFF REPORT

TO: CASA GRANDE PLANNING AND ZONING COMMISSION

FROM: James Gagliardi, AICP, City Planner

MEETING DATE: September 1, 2016

REQUEST

Request by Marshall Stahl of AZ Sourcing, LLC for the following land use approval:

1. DSA-16-00074: Preliminary Condominium Plat, re-platting Lot 1 Tanger Outlets into 42 condo suites and a common tract for parking, landscaping, drainage, access, and utilities.

APPLICANT/OWNER

Marshall Stahl, AZ Sourcing LLC 14500 N Northsight Blvd. Suite 116 Scottsdale, AZ 85260 480-525-8138 mstahl@azsourcing.com CityGate Casa Grande LLC 14500 N Northsight Blvd. Suite 116 Scottsdale, AZ 85260

HISTORY

April 18, 1990: Ordinance No. 1322 was approved by City Council,

annexing the site into the City of Casa Grande, establishing an UR (Urban Ranch) zoning designation for this parcel.

June 6, 1991: Planning Commission approves CGPZ-010-091, a Major

Site Plan for a retail shopping center.

June 17, 1991: City Council approves CGPZ-011-091, the Final Plat for

"Tanger Outlet Center at Casa Grande" subdivision.

July 1, 1991: City Council adopts Ordinance 1178.42, amending the

property's zoning from UR to PAD (Tanger Outlet Center

Planned Area Development).

August 20, 1992: Planning Commission approves CGPZ-031-092, an

amendment to the Major Site Plan, adding 17,500 sq. ft. of

building.

March 3, 1994: Planning Commission approves CGPZ-009-094, a Major

Site Plan for Wendy's. As part of Lot 1 of Tanger Outlet Center at Casa Grande, this .4-acre area was sold to and developed by a different entity as the shopping center, thus

becoming an unofficial "outparcel".

May 6, 2013: City Council adopts Ordinance No. 1178.42.1 a Major

amendment to the PAD, DSA-12-00069, to expand the types of uses allowed including indoor and outdoor recreation and other ancillary uses, and revising the name of the PAD from

"Tanger Outlet Center" to "The Station".

PROJECT DESCRIPTION				
Site Area	40.9 acre Lot / 189,500 sq. ft. of buildings placed into 42 condominiums.			
Current Land Use	Commercial shopping center.			
Existing Zoning	PAD (The Station)			
Existing General Plan 2020 Land Use	Commerce and Business			

Surrounding General Plan Designation, Zoning, and Existing Land Use

Direction	General Plan 2020 Designation	Existing Zoning	Existing Land Use
North	Commerce and Business	PAD (<i>Mountain Shadows</i> -Commercially designated)	Undeveloped land
East	Rural	I-10/ UR	Undeveloped land
South	Commerce and Business	Jimmie Kerr Blvd./I-1 (garden and light industrial)	Vacant warehouse
West	Commerce and Business/ Community Center	Adjacent to north half: PAD (Lonesome Valley Farms-Residentially designated) / Adjacent to south half: PAD (Shops at Palm Court-commercially designated)	Undeveloped land

General Discussion

Tanger Outlet Center at Casa Grande is a 40.89-acre subdivision with one platted lot (Exhibit A). Upon this lot are two parcels. The first parcel, known by APN 511-20-012A, is 40.5-acres and owned by CityGate Casa Grande, LLC. It is comprised of the former Tanger Outlet Mall now known as CityGate. There are two buildings on this parcel. One is approximately 177,500 sq. ft. and the other is about 12,000 sq. ft.. This parcel completely encompasses the second parcel, known by APN 511-20-012B. This smaller piece is nearly .4-acres and is occupied by the former Wendy's Restaurant, owned by Ronald Siegel Revocable Trust. The boundaries of the existing platted lot also include the east-bound portion of Interstate 10 and exit ramp as part of an easement. CityGate

Casa Grande, LLC is requesting to convert its two buildings, made up of individual tenant suites into 42 business condominiums (Exhibit B). The replat appears to exclude the area of Interstate 10 and it would remain part of the original plat. The Wendy's parcel will not be part of this condominium replat, either. As condominiums within the buildings on CityGate's property, each suite can be separately owned, and sold. Serving these condominiums would be common areas such as the buildings' exteriors, public restrooms and concession area, as well as the access, parking, landscaping, and retention areas (Exhibit C) established more clearly with CCR's to be submitted at the time of Final Plat consideration.

SITE CONTEXT/AERIAL



No drainage, traffic, sewer, or water reports are required for this submittal due the fact that neither exterior alternations nor additions to the existing site are proposed. The site is within a developed parcel with infrastructure and utilities already in place. The existing tenant suites are established in a way that they can meet Building Code requirements as separately-owned condominium spaces. Due to the fact the internal spaces will be under individual ownerships, however, there are some review items from both the City Building Official and City Fire Inspector with regard building and fire safety:

Building Official's review comments:

- 1. Provide access to electrical room #108 without entering a tenant space for 24-hour direct access.
- 2. Show access to electrical rooms within details A, B, and C.
- 3. Show fire-riser rooms
- 4. Specify if Fire Sprinklers are common elements or contained-in and owned by each unit.

Fire Inspector review comments:

- 1. Provide a statement on the plat that discusses who is going to have the responsibility for the Fire Sprinkler Systems, Fire Alarm Systems and the Fire Hydrants and the fire main underground system for the property.
- Confirm that all existing fire protection system are being tested, inspected and maintained per the NFPA requirements for each system (NFPA 72-Fire Alarm System, NFPA 25- Fire Sprinkler System, and NFPA 25—Fire Hydrants and Fire Main Underground.
- 3. To ensure Fire Department access to all common areas and any areas where there are fire sprinkler risers and fire alarm panels, existing Knox Boxes be used for the common areas access keys. If individual tenant owners would like to have their key in a Knox Box so that the Fire Department can gain entry, they shall purchase and install their own Knox Box. It is suggested that the master key system is controlled by an association.

Updates to the preliminary plat reflecting these comments will be required for re-review prior to final approval.

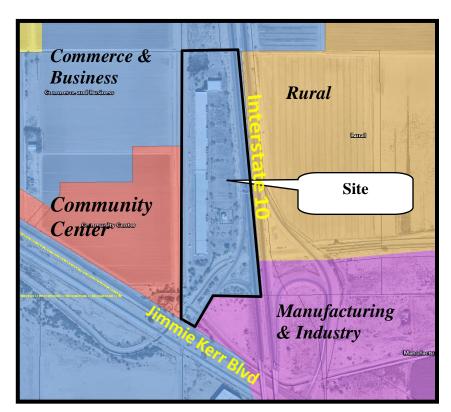
The proposed resubdivision is being processed in accordance with Section 16.12.290 C. of the City Code. Pending Planning Commission's approval of the Preliminary Plat, the applicant will submit a Final Plat for staff review and final approval by the City Council.

REVIEW FOR ADEQUACY

In reviewing a Preliminary Plat, the following items are considered to assure adequacy with City development regulations and compatibility with surrounding conditions:

Conformance to the General Plan;

The subject site is designated as *Commerce & Business* in the City's General Plan 2020 and all existing and proposed are in compliance. The proposal to create individual condominium suites does not conflict with the General Plan.

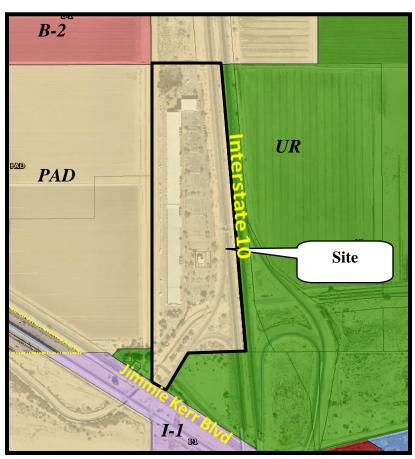


GENERAL PLAN 2020 EXHIBIT

The site does only have one access to a public road; however, and borders property to the north with severe access limitations. Per Policy C-4.7.3 of the General Plan, connectivity is to be provided between developments so they are integrated into the existing community fabric. Accordingly, the plat should include an access easement to along the north property line to allow public access from property to the west and to property to the north to provide better linkage as these areas develop.

Conformance with Zoning;

The proposed use is compliant with *The Station* PAD Zoning, which permits a variety of retail and general service uses. The permitted uses will not change, they will just be occurring within individually owned suites versus leased spaces.



ZONING EXHIBIT

Subdivision Plat Technical Form & Design;

There are technical modifications required of this preliminary plat prior to final approval:

- 1. This is a replat of Lot 1 of Tanger Outlets at Casa Grande recorded at cabinet 000B, page 0049. The legal description should indicate this as a "replat" of such. The legal description as written appears to only be for a "portion" for lot 1, which is true, since the Wendy's parcel within Lot 1 is to be excepted from the platting of the condominiums, but it appears that the legal description is omitting that area of the platted lot that contains Interstate 10 and its off-ramp. If this area is not to be part of the new plat, an exhibit must be provided that shows "as platted" v. an "as replatted" exhibit with a new total lot area to be provided.
- 2. This resubdivision should specify a specific exception of the Wendy's parcel.

This is to include its legal description that is being excepted.

- A legal description needs to be provided for the common parking lot, landscaping and drainage elements and under a header for such. The areas of the plat depicting these common elements need to be dimensioned.
- 4. Provide a summary on the preliminary plat indicating the total number of acres, and total number of condominium lots, and total square footage of buildings. Indicate what percentage of the lot is open space.
- 5. Provide widths of canals and access drives and drive aisles.
- Name the canals and drains on the site.
- 7. A statement shall be provided on the preliminary plat describing who has the responsibility for maintenance of common elements, including building exterior, common areas interior to the building, parking, access ways, drainage basins, drainage basins, signage, and landscape areas, indicating that such shall be subject to CCR's.
- 8. Provided that Wendy's is on a separate parcel within Lot 1, but to be excepted from this resubdivision. Within the narrative (Exhibit B) it is explained there is an agreement between Wendy's and CityGate allowing parking, access and utility service agreement across CityGate's property; however, a statement and easement shall be provided on this plat to ensure that Lot 1 can be used for utilities, parking and access for Wendy's as well as a specifying what retention basin(s) within the common area is to be used for storm run-off coming from the Wendy's parcel.

Drainage Pattern/ Accommodation of Developed Flows:

No additional structures or increases to impervious surface is proposed with this preliminary plat; however the existing retention basins on the site are to be placed in common areas maintained by the condominium association. CCR's will have to be provided at the time of Final Plat that clarifies the responsibility of the association and the maintenance of these drainage basins. The following are technical items required prior to final approval of this preliminary plat:

- 1. There is a 65 ft. wide drainage easement dedicated by the previous plat that needs to be identified on this replat. It runs along the western boundary of the subdivision.
- 2. Specify what basin or basins collect water for the Wendy's parcel, and provide an easement for this.

- 3. If any run-off from Interstate 10 runs onto the property, specify what basin accommodates for this flow and indicate an easement for such.
- 4. In the previously approved plat, there was a note regarding the site being subject to undefined irrigation easements. Please replicate.
- 5. Modify the note regarding the 100 year flood plain to state that a flood elevation certificate may be required for Tenant improvements that meet the FEMA substantial improvement criteria. Tenant improvements that meet the FEMA substantial improvement criterial shall be required to elevate their finished first floor elevation one foot from the base flood elevation or take other appropriate flood-proofing measures.

Utility Access;

The preliminary plat shall be updated to identify the following:

- 1. Show all utility service and main lines, and indicate their sizes.
- Specifically, call out the 15" sewer line runs from the south to the north near the
 western edge of the lot. There is an existing sewer easement and public utility
 easement in this same area that needs to be identified. All existing easements
 need to be identified.
- In the previously approved plat, there was a note regarding the site being subject to undefined electrical easements. Please replicate and show all other underground utilities.
- 4. Provide and show an easement for utilities that serve Wendy's across the common area of the adjacent parcel.

Access to Public Roads;

The subdivision's boundaries do not abut Jimmie Kerr Blvd, the only means of public access; but rather, Tanger Drive, a private road connects this development to Jimmie Kerr through another parcel, not a part of this subdivision. A roadway easement shall be established and stated on this plat that specifies public access to Jimmie Kerr from the subdivision.

The length of the lot is approximately 3,000 ft. The 40 acres of property only has one public access point. Per Section 16.16.210 of the City Code, the arrangement of streets shall provide for the continuation between adjacent properties when continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities and where such continuation is in accordance with the General Plan. Therefore, it shall be a condition that a public access easement be provided along the north boundary that allows connectivity to the parcel to the west and to the north for access from these parcels to Jimmie Kerr Blvd.

PUBLIC NOTIFICATION/COMMENTS

Notification

Public hearing notification efforts for this request meet the requirements set out by City Code. They include:

- A notice was published in the Casa Grande Dispatch on August 17, 2016 for the September 1, 2016 Planning and Zoning Commission public hearing. Notice was mailed to owners of property within 300 ft. of the site on the same date. The Code requires a 200 ft. notification. An affidavit verifying this mailing is in the file.
- By policy, a sign is posted by the applicant on the subject site ten to fifteen
 days prior to the public hearing for a preliminary plat. A sign template,
 posting instructions, and an affidavit of posting was provided to the applicant,
 however, a sign was not posted nor was a completed affidavit returned. The
 City Code and ARS statutes do not require a sign posting, however.

Inquiries/Comments

At the time of this writing, no inquiry or comment has been received.

RECOMMENDED MOTION

Staff recommends the Commission approve DSA-16-00074, Preliminary Plat for the replatting of Lot 1 Tanger Outlet Center to create 42 condominium suites and common areas subject to the following:

Technical Modifications to be made to the Preliminary Plat for additional review and final approval by staff:

Technical Modifications:

- 1. Provide access to electrical room #108 without entering a tenant space for 24-hour direct access.
- 2. Show access to electrical rooms within details A, B, and C.
- 3. Show fire-riser rooms
- 4. Specify if Fire Sprinklers are common elements or contained-in and owned by each unit.
- 5. Provide a statement on the plat that discusses who is going to have the responsibility for the Fire Sprinkler Systems, Fire Alarm Systems and the Fire Hydrants and the fire main underground system for the property.

- Confirm that all existing fire protection system are being tested, inspected and maintained per the NFPA requirements for each system (NFPA 72-Fire Alarm System, NFPA 25- Fire Sprinkler System, and NFPA 25—Fire Hydrants and Fire Main Underground.
- 7. To ensure Fire Department access to all common areas and any areas where there are fire sprinkler risers and fire alarm panels, existing Knox Boxes be used for the common areas access keys. If individual tenant owners would like to have their key in a Knox Box so that the Fire Department can gain entry, they shall purchase and install their own Knox Box. It is suggested that the master key system is controlled by an association.
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- 9. This resubdivision should specify a specific exception of the Wendy's parcel. This is to include its legal description that is being excepted.
- 10. A legal description needs to be provided for the common parking lot, landscaping and drainage elements and under a header for such. The areas of the plat depicting these common elements need to be dimensioned.
- 11. Provide a summary on the preliminary plat indicating the total number of acres, and total number of condominium lots, and total square footage of buildings. Indicate what percentage of the lot is open space.
- 12. Provide widths of canals and access drives and drive aisles.
- 13. Name the canals and drains on the site.
- 14. A statement shall be provided on the preliminary plat describing who has the responsibility for maintenance of common elements, including building exterior, internal common areas, parking, access ways, drainage basins, drainage basins, monument signage, and landscape areas, indicating that such shall be subject to CCR's.
- 15. Provided that Wendy's is on a separate parcel within Lot 1, but to be excepted from this resubdivision. Within the narrative (Exhibit B) it is explained there is an agreement between Wendy's and CityGate allowing parking, access and utility service agreement across CityGate's property; however, a statement and

easement shall be provided on this plat to ensure that Lot 1 can be used for utilities, parking and access for Wendy's as well as a specifying what retention basin(s) within the common area is to be used for storm run-off coming from the Wendy's parcel.

- 16. There is a 65 ft. wide drainage easement dedicated by the previous plat that needs to be identified on this replat. It runs along the western boundary of the subdivision.
- 17. Specify what basin or basins collect water for the Wendy's parcel, and provide an easement for this.
- 18. If any run-off from Interstate 10 runs onto the property, specify what basin accommodates for this flow and indicate an easement for such.
- 19. In the previously approved plat, there was a note regarding the site being subject to undefined irrigation easements. Please replicate.
- 20. Modify the note regarding the 100 year flood plain to state that a flood elevation certificate may be required for Tenant improvements that meet the FEMA substantial improvement criteria. Tenant improvements that meet the FEMA substantial improvement criterial shall be required to elevate their finished first floor elevation one foot from the base flood elevation or take other appropriate flood-proofing measures.
- 21. Show all utility service and main lines, and indicate their sizes.
- 22. Specifically, call out the 15" sewer line runs from the south to the north near the western edge of the lot. There is an existing sewer easement and public utility easement in this same area that needs to be identified. All existing easements need to be identified.
- 23. In the previously approved plat, there was a note regarding the site being subject to undefined electrical easements. Please replicate and show all other underground utilities.
- 24. Provide and show an easement for utilities that serve Wendy's across the common area of the adjacent parcel.

Conditions of approval:

 CCR's will have to be provided at the time of Final Plat submittal that clarifies the responsibility of the association and the maintenance of all elements within the common areas such as drainage basins, parking, access ways, signage, landscaping, building exteriors and internal common areas. 2. Provide a public access easement on the plat along the north boundary that allows connectivity to the parcel to the west and to the north, allowing access from these parcels to Jimmie Kerr Blvd.

Exhibits

Exhibit A- Existing Tanger Outlet Center at Casa Grande Plat

Exhibit B- Narrative

Exhibit C- Proposed Preliminary Condominium Plat

Exhibit A – Existing Tanger Outlet Center at Casa Grande Plat E 1/4 00R 9E0 1, T75, RME FND 1" P ADDEPTED BY THIS SURVEY-HESEN CRETY THAT THE SURVEY AND PLATTING OF THE PROMISES DESCRIBED HERGON WAS MADE UPON INT SUPERVISOR WILLIAM OF APPRIL. 1991.

WILLIAM E COLLINGS TANGER OUTLET CENTER AT CASA GRANDE APPROVED BY THE CITY COUNCIL OF THE CITY OF CAS GRANDE, ARIZONA, ON THIS THE 14¢ DAY OF JULY 1991 ON THIS STOR DAY OF A MG, 1991, BEFORE ME THE UNDERSONALLY APPEARING STANKEY, TANGER, AND THAT HE HAS EXECUTED THE FORECOME, MINISTRUMENT FOR THE PURPOSES THEREN CONTAINED. Debrek & Color 10 23 91 16/96/8 - 8/36/9/ 1 OSTITY THAT IN MY OPNION ALL LOTS UPON THE OLICES SUBJECT OF COLORS OF COL FINAL PLAT FOR: -INTERSTATE 10 EASEMENT PER DKT. 375, PG. 209 TOTAL GROSS FLOOR SPACE = 182,000 S.F. (FAR 17.19%) FREEWAY OUTLET CENTER LEGAL (FOR PROPERTY TO BE PLATTED HEREON) EXISTING A T & T EASEMENT. PDR DKT. 356, PG. 522 & 524 SET BRASS CAP FLUSH IN DECK, OF BOX CULVERT.

Exhibit B - Narrative



Marshall Stahl Chief Operating Officer (COO) Direct Phone: (602) 472-3076 Email: mstahl@AZSourcing.com

July 29, 2016

Mr. James Gagliardi Executive City Planner City of Casa Grande 510 E. Florence Blvd. Casa Grande, AZ 85122

Re: City Gate Narrative:

Mr. Gagliardi:

PROJECT NARRATIVE

This is a request by AZ Sourcing LLC on behalf of CityGate Casa Grande LLC (AZ Outlet Investment LLC), the current owner of the stated property. The Property encompasses an existing 183,755 SF commercial retail center 10,018 SF outdoor amenity area, 578 SF restroom/concession building, 1,235 parking spaces, and open space. A portion of the property is currently owned by Wendy's.

Proposed land uses

CityGate I will feature:

- AZ Home Furnishings Outlet, the largest collection of discount home furniture, furnishings, and décorretailers in the Southwest.
- The retail uses and activities are consistent with the approved The Station PAD and the City of Casa Grande General Plan's designation as Commerce/Business and Manufacturing/Industry.
- The existing commercial retail center will be retrofitted into 42 condominium retail units, varying in sizes between 2,500 and 10,000 SF.
- Unified control of the future condominium owners' rights will be set forth in the condominium
 declaration. Each condominium owner will submit proposed store signage to the City for approval,
 under the planning and supervision of the Coop committee. Individual signage shall conform to the
 requirements of the City of Casa Grande and the condominium declaration.

Space configuration:

Each space will specify the following conditions:

- Metered gas service
- Metered water service
- · Individual mechanical systems per demised space
- Metered electrical service
- · Shared waste feeds, less the noted restaurant or similar uses for grease trap requirements, etc.
- Shared fire suppression with common standpipe assembly
- Door entries in front and rear of all spaces
- Restroom facility (s) in all spaces

General internal parking and circulation

The project shall maintain the existing 1,235 parking spaces (1 space per 250 SF).

14500 N. Northsight Blvd., Suite 116, Scottsdale, AZ 85260 www.azsourcing.com 480-525-8138 (p) 602-457-6779 (f)



Marshall Stahl Chief Operating Officer (COO) Direct Phone: (602) 472-3076 Email: mstahl@AZSourcing.com

Proposed access

Primary access to the site through East Tangier Boulevard from East Jimmie Kerr Boulevard remains unchanged. East Jimmie Kerr Boulevard has direct access to I-10 and to the north/south arterials that lead directly to downtown Casa Grande.

A Memorandum of Agreement provides Wendy's with a non-exclusive parking rights and access rights from East Jimmie Kerr Boulevard over the drive aisles of the Site. Existing cross-access easements and relevant utility service agreements are recorded with the Pinal County Recorder.

Property boundaries

The Property consists of 2 parcels (APN 511-20-012A and 009A) located in a portion of the SE quarter of Section 2, SW quarter of Section 1, NW quarter of Section 12, and NE quarter of Section 11, Township 7 South, Range 6 East of the Gila River and Salt River Meridian, Pinal County, Arizona.

Existing land uses on adjacent properties

The Property is adjacent to the west side of the I-10 Freeway and is generally bound by E. Jimmie Kerr Boulevard (State Highway 84) to the south, The Station PAD II (CityGate II) to the west, and Lonesome Valley PAD to the north. An active line of Union Pacific Railway parallels Jimmie Kerr Boulevard to the south of the property.

Adjacent land is zoning as follows:

- East: I-10. Farther east is vacant land zoned PAD (land within Lonesome Valley that is designated for Commercial and Light Industrial Uses). Farther north is land zoned B-2 (General Business Zone) and R-I (Single Family Residential).
- North: Land zoned PAD (Lonesome Valley PAD)
- West: Land zoned PAD (The Station PAD II)
- South: UR (Urban Ranch) and E. Jimmie Kerr Boulevard. Farther south is the Union Pacific Railway and land zoned I-1 (Garden Light Industrial)

Special site conditions or problems

A fast food restaurant site (Wendy's) is within the southern portion of the Property. The Florence Casa Grande Canal runs through a small western portion of the Site. A water well and utility lines are located within the Property. The Arizona Drain is to the north of the Site.

Respectfully Submitted:

Mark M. Dunnett

Executive VP Design and Construction

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Exhibit C - Proposed Preliminary Condominium Plat

